

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Seventeenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.4094 of 2021

MADHAN

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
T6-AVADI POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME NO.462 OF 2021

For Petitioner : M/S.S.SASIKUMAR Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The Petitioner, who was arrested and remanded to judicial custody on 21.01.2021 for the offence punishable under Section 302 IPC in Crime No.46 of 2021, seeks bail.

2. The petitioner is the sole accused. The case of the prosecution is that the petitioner and the deceased are husband and wife. The petitioner is a drunkard and used to beat the deceased frequently. While being so, on the date of occurrence, the petitioner said to have attacked the deceased severely with iron rod and caused head injury and she succumbed to injuries. Hence, the complaint came to be registered.

3. The learned counsel for the petitioner would submit that due to sudden provocation, the occurrence has taken place. He has no intention to cause the death of the deceased. He is in jail from 21.01.2021. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioner, in an inebriated mood, attacked the deceased with iron pipe indiscriminately and caused head injuries and she died on the spot. The occurrence has taken place inside the house. She has also produced the postmortem report.

5. I have considered the rival submissions and perused the materials available on records carefully.

6. On perusal of Postmortem report, it could be seen that, apart from the head injuries, eight injuries were found on the body of the deceased. The occurrence has taken place inside the house and the deceased also died on the spot.

7. Considering the gravity of the offence and he attacked her cruelly, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the Criminal Original Petition is dismissed.

-sd/-

17/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
T6-AVADI POLICE STATION,
THIRUVALLUR DISTRICT.

CC to M/S.S.SASIKUMAR Advocate on payment of necessary charges

CRL OP.4094/2021

Date :17/03/2021

MK:15/04/2021